

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

ROSELAND COMMUNITY HOSPITAL
Employer

and

Case 13-RC-259788

SERVICE EMPLOYEES INTERNATIONAL
UNION (SEIU) HEALTHCARE ILLINOIS &
INDIANA
Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Decision and Direction of Election is denied as it raises no substantial issues warranting review.¹ The Employer's request for extraordinary relief is denied as moot.

JOHN F. RING, CHAIRMAN

MARVIN E. KAPLAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

Dated, Washington, D.C., June 25, 2020.

¹ In denying review, we note that the Board's decision in *San Diego Gas & Electric*, 325 NLRB 1143, 1145 (1998), recognizes that Board elections should, as a general rule, be conducted manually and specifies well-settled guidelines for determining whether a mail-ballot election would normally be appropriate. Under normal circumstances, this would almost certainly not be an election where a mail ballot would be considered. But in *San Diego Gas & Electric*, the Board also recognized that "there may be other relevant factors that the Regional Director may consider in making this decision" and that "extraordinary circumstances" could permit a Regional Director to exercise his or her discretion outside of the guidelines set forth in that decision. *Id.*

In finding that a mail-ballot election is warranted in this case, we rely on the extraordinary federal, state, and local government directives regarding the Covid-19 pandemic, which resulted in a determination that the regional office charged with conducting this election should remain on mandatory telework at the time the Regional Director directed a mail-ballot election. Mandatory telework in the regional office is based on the Agency's assessment of current Covid-19 pandemic conditions in the local area. Under all of the foregoing circumstances, we are satisfied that the Regional Director did not abuse his discretion in ordering a mail-ballot election here.

The Board is open to addressing the normal criteria for mail balloting in a future appropriate proceeding.